

1 McGREGOR W. SCOTT  
2 United States Attorney  
3 ROBERT J. ARTUZ  
4 Special Assistant U.S. Attorney  
5 501 I Street, Suite 10-100  
6 Sacramento, CA 95814  
7 Telephone: (916) 554-2700  
8 Facsimile: (916) 554-2900  
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11 Attorneys for Plaintiff  
12 United States of America  
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15 IN THE UNITED STATES DISTRICT COURT  
16  
17 EASTERN DISTRICT OF CALIFORNIA

18 UNITED STATES OF AMERICA,

19 CASE NO. 2:20-MJ-00134-KJN

20 Plaintiff,

21  
22 STIPULATION FOR EXTENSION OF TIME FOR  
23 PRELIMINARY HEARING PURSUANT TO RULE  
24 5.1(D) AND EXCLUSION OF TIME AND  
25 [PROPOSED] FINDINGS AND ORDER

v.

26 HOPELYN RHIANNON AUSK,

27 Defendant.

28 DATE: September 29, 2020

TIME: 2:00 p.m.

COURT: Hon. Allison Claire

17 Plaintiff United States of America, by and through its attorney of record, Special Assistant U.S.  
18 Attorney ROBERT J. ARTUZ, and Defendant, Hopelyn Ausk, both individually and by and through her  
19 counsel of record, Doug Beevers, hereby stipulate as follows:

20 1. The Complaint in this case was filed on September 3, 2020, and Defendant Hopelyn  
21 Ausk first appeared before a judicial officer of the Court in which the charges in this case were pending  
22 on September 11, 2020. The Court set a preliminary hearing date of September 29, 2020.

23 2. By this fourth stipulation, the parties jointly move for an extension of time of the  
24 preliminary hearing date to October 30, 2020, at 2:00 p.m., before the duty Magistrate Judge, pursuant to  
25 Rule 5.1(d) of the Federal Rules of Criminal Procedure. The parties stipulate that the delay is required  
26 to allow the defense reasonable time for preparation, and for the government's collection and production  
27 of discovery and continuing investigation of the case. For example, the government is continuing to  
28 provide discovery relevant to this case. Defense counsel needs additional time to review and consider

1 all the evidence and to conduct further investigation. The parties further agree that the interests of  
2 justice served by granting this continuance outweigh the best interests of the public and the defendant in  
3 a speedy trial. 18 U.S.C. § 3161(h)(7)(A).

4       3.     The parties agree that good cause exists for the extension of time, and that the extension  
5 of time would not adversely affect the public interest in the prompt disposition of criminal cases.  
6 Therefore, the parties request that the time between September 29, 2020, and October 30, 2020, be  
7 excluded pursuant to 18 U.S.C. § 3161(h)(7)(B)(iv), Local Code T-4.

IT IS SO STIPULATED.

Dated: September 21, 2020

McGREGOR W. SCOTT  
United States Attorney

Dated: September 21, 2020

/s/ DOUG BEEVERS  
DOUG BEEVERS  
Assistant Federal Defender  
Counsel for Defendant  
Hopelyn Rhiannon Ausk

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15 IN THE UNITED STATES DISTRICT COURT  
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17 EASTERN DISTRICT OF CALIFORNIA

18 UNITED STATES OF AMERICA,

19 CASE NO. 2:20-MJ-00134-KJN

20 Plaintiff,

21 [PROPOSED] FINDINGS AND ORDER  
22 EXTENDING TIME FOR PRELIMINARY  
23 HEARING PURSUANT TO RULE 5.1(d) AND  
24 EXCLUDING TIME

25 HOPELYN RHIANNON AUSK,

26 DATE: September 29, 2020

Defendant.

TIME: 2:00 p.m.

COURT: Hon. Allison Claire

17 The Court has read and considered the Stipulation for Extension of Time for Preliminary Hearing  
18 Pursuant to Rule 5.1(d) and Exclusion of Time, filed by the parties in this matter on September 21, 2020.  
19 The Court hereby finds that the Stipulation, which this Court incorporates by reference into this Order,  
20 demonstrates good cause for an extension of time for the preliminary hearing date pursuant to Rule  
21 5.1(d) of the Federal Rules of Criminal Procedure.

22 Furthermore, for the reasons set forth in the parties' stipulation, the Court finds that the interests  
23 of justice served by granting this continuance outweigh the best interests of the public and the defendant  
24 in a speedy trial. 18 U.S.C. § 3161(h)(7)(A). The Court further finds that the extension of time would  
25 not adversely affect the public interest in the prompt disposition of criminal cases.

26 THEREFORE, FOR GOOD CAUSE SHOWN:

27 1. The date of the preliminary hearing is extended to October 30, 2020, at 2:00 p.m.  
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2. The time between September 29, 2020, and October 30, 2020, shall be excluded from calculation pursuant to 18 U.S.C. § 3161(h)(7)(A).

3. Defendants shall appear at that date and time before the Magistrate Judge on duty.

IT IS SO ORDERED.

DATED: September 21, 2020

Allison Claire  
ALLISON CLAIRE  
UNITED STATES MAGISTRATE JUDGE